IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.40713 of 2008

BIBHA DEVI @ BEENA DEVI
W/o- Ashok Rai
R/o- Village – Bardiha Turki Tola Dhanautia,
P.S.- Patepur, District - Vaishali

Versus

STATE OF BIHAR

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2. 02.12.2008 Heard learned counsel for the petitioner and the State.

Petitioner is an accused in a case registered for the offences under Sections 304(B), 201/34 of the Indian Penal Code.

It is submitted that the petitioner is GOTNI of the deceased has been implicated in this case with omnibus allegation. It is further submitted that other co-accused persons i.e. husband, mother-in-law and brother-in-law of the deceased against whom chargesheet were submitted bearing C.S. No. 2424 of 2003, were put on trial and they were acquitted by judgement order dated 24th August 2006 contained in Annexure-2. In the said trial, the prosecution witnesses did not support the prosecution case. The charge sheet was submitted against the petitioner showing her absconder.

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Learned counsel for the State is not in a position to refute the submissions made on behalf of the petitioner.

Having considered the submissions, as noticed above,

and in the facts and circumstances of the case, it is directed that in the event of arrest or surrender within a period of four weeks from today, the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Chief Judicial Magistrate, Vaishali at Hajipur in connection with Patepur P.S. Case No. 67 of 2003 corresponding to Trial No. 1865 of 2006 subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

Jagdish **(Shailesh Kumar Sinha,J)**

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